

Douglas N. Silverstein, Esq. (SBN 181957)
Michael G. Jacob, Esq. (SBN 229939)
KESLUK, SILVERSTEIN & JACOB, P.C.
9255 Sunset Boulevard, Suite 411
Los Angeles, California 90069-3309
Telephone: (310) 273-3180
Facsimile: (310) 273-6137
dsilverstein@californialaborlawattorney.com
mjacob@californialaborlawattorney.com

Attorneys for Plaintiff GILBERT GUZMAN

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GILBERT GUZMAN, an individual,

Plaintiff,

v.

SPACE EXPLORATION
TECHNOLOGIES CORP., a
Delaware Corporation; and DOES 1
through 60, inclusive,

Defendants.

CASE NO. 2:15-cv-06000-R-RAO

*[Assigned to Courtroom 8 - Honorable
Manuel L. Real, Rozella A. Oliver,
Magistrate]*

**PLAINTIFF GILBERT GUZMAN'S
NOTICE OF MOTION TO REMAND**

Date: December 21, 2015

Time: 10:00 a.m.

Courtroom: 8

*[Concurrently filed with the Motion to
Remand, and Declaration of Michael G.
Jacob]*

Complaint filed: March 9, 2015

Removal: August 10, 2015

Trial Date: May 17, 2016

TO ALL PARTIES AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on December 21, 2015 at 10:00 a.m., or as soon thereafter as counsel may be heard, in the Courtroom of Hon. Manuel L. Real located at 312 North Spring Street, Los Angeles, CA 90012, that Plaintiff Gilbert

1 Guzman by and through their attorneys of record, will and hereby, do move for an
2 Order to Remand based on the 28 U.S.C. § 1447(c), including that Plaintiff has
3 filed a First Amended Complaint that eliminates any reference to the Family
4 Medical Leave Act and relies exclusively upon state law, and because Defendant
5 failed to carry its burden of demonstrating federal question jurisdiction.

6 Plaintiff's counsel contacted Defendant's counsel to meet and confer
7 regarding this matter. Plaintiffs' counsel requested that Defendant's counsel
8 stipulate to remand and Defendant's counsel refused. This motion is made
9 following the conference of counsel pursuant to L.R. 7-3 which took place on
10 September 21, 2015. The parties engaged in further meet and confer efforts,
11 continuing until on or about November 18, 2015.

12 This motion is based upon the attached memorandum of points and
13 authorities, the Declaration of Michael G. Jacob, Esq. the papers and pleadings on
14 file, and upon such further matters as may be presented at the time of the hearing.

15 DATED: November 18, 2015

16 KESLUK, SILVERSTEIN & JACOB, P.C.

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18 By: /s/ Michael G. Jacob_____
19 Douglas N. Silverstein, Esq.
20 Michael G. Jacob, Esq.
21 Attorneys for Plaintiff GILBERT GUZMAN
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